

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 4 and 9 have each been amended for clarity.

In the current Office Action, the Examiner states:

"The claim calls for the element "at least two ambient sources that is closer to the presentation device than any other of the at least two ambient light sources". One ordinary skill in the art would interpret this claim limitation as setting at least two ambient light sources. Is the setting the ambient light changing at least two ambient light sources? Is the setting the ambient light changing at least one of the at least two ambient light sources? What is considered "other of the at least two ambient light sources"? Is it any light source other than the at least two ambient light sources? Is it one of the ambient light sources of the at least two ambient light sources? The scope of protection is unclear, and the claim is therefore indefinite. The examiner will interpret the claim limitation as reasonably broad as possible. The interpretation of the claim limitation is setting the property of any ambient light source associated with the presentation device. Correction is required."

Applicants submit that the Examiner has overlooked an important portion of the noted limitation. In particular, the noted limitation previously read "setting the property of the ambient light generated by the ambient light source of the at least two ambient light sources that is closer to the presentation device than any other of the at least two ambient light sources". In order to aid in the understanding, Applicants (in the above amendments to claims 4 and 9) have added punctuation to the limitation "setting the property of the ambient light generated by the ambient light source... of the at least two ambient light sources... that is closer

to the presentation device than any other of the at least two ambient light sources".

Applicants submit that it should now be clear to the Examiner that there are "at least two ambient light sources"; the claim includes setting the property of the ambient light generated by "the ambient light source" (of the at least two ambient light sources); and that "the ambient light source" is the one (of the at least two ambient light sources) "that is closer to the presentation device than any other of the at least two ambient light sources".

Applicants believe that the above changes and explanation answer the Examiner's 35 U.S.C. 112, paragraph 2, rejection of claims 4 and 9, and respectfully request withdrawal thereof.

The Examiner has rejected claims 1 and 4-11 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,166,496 to Lys et al. The Examiner has further rejected claims 2 and 3 under 35 U.S.C. 103(a) as being unpatentable over Lys et al. in view of U.S. Patent 6,689,947 to Ludwig.

The Lys et al. patent discloses a lighting entertainment system in which lighting elements are controlled by a lighting signal. As noted in the Abstract, "A system is provided for combining an illumination control signal and an entertainment signal. At a decoder, the combined signal may be decoded into an entertainment signal that is delivered to an entertainment device, and an illumination control signal that is delivered to an illumination source."

As noted in MPEP §2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Independent claims 1 and 8 include the limitations "analyzing the received video signal to determine optical properties of an image to be formed by the video signal" and "setting a property of ambient light generated by the at least one ambient light source based upon the determined optical properties".

The Examiner indicates that Lys et al. teaches:

"analyzing the video signal to determine optical properties of an image to be formed by the video signal; (Lys: fig. 1 85, col. 47, line 60 - col. 49, line 8, microprocessor processes certain portions of the bandwidth of television signal for signals relating to the room light, thus a television signal may instruct the room lights to dim at certain points during the presentation, to strobe to different colors at other points, and to flash at other points)"

and

"setting a property of ambient light generated by said at least one ambient light source based upon the determined optical properties (Lys fig.85, col. 47, line 60 - col. 49, line 64, color and intensity of room lights may be directly controlled through certain portions of the bandwidth of television signal, control data may be sent to the illumination sources, which are depicted as light modules 100, as a result, illumination control may be associated with an

entertainment signal, so that the illumination sources 501 can be matched to the entertainment signal played on the entertainment device 514, room lights may be synchronized and trolled to create different conditions simultaneously with event that occur in programs that are being displayed on a television)."

Applicants submit that while the Examiner has accurately described the Lys et al. system, the Examiner has ignored important limitations in the claims. In particular, claims 1 and 8 specifically recite "analyzing the received video signal to determine **optical properties of an image** to be formed by the video signal" (emphasis added). While Lys et al. analyzes the received video signal to extract signals relating to the room light, and to use these extracted signals to control the room light, this has nothing to do with the optical properties of an image to be formed by the video signal. The room lighting is not optical properties of an image.

Applicants remind the Examiner of the above directions from the CAFC regarding anticipation - "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject invention analyzes the video signal to determine optical properties of an image to be formed by the video signal. As described in the specification on page 1, lines 26-27, and more particularly on page 4, line 20 to page 5, line 3, these optical properties of an image to be formed by the video signal include hue, saturation, brightness, color, etc. It should be

understood that while the video signal does not itself possess these optical properties, the video signal does include parameters that when applied to a display device, generate images having these optical properties. Hence, while the optical properties of an image to be formed by the video signal may be determined by analyzing the formed image (e.g., using some form of light detection), these optical properties may also be determined by analyzing specific parameters of the video signal which would cause a resulting image to have such optical properties.

Applicants therefore submit that Lys et al. sets a property of ambient light generated by the at least one ambient light source based upon the detected light control signal (that was previously embedded in the television signal), and not on determined optical properties of an image to be formed by the video signal.

The Ludwig patent discloses a real-time floor controller for control of music, signal processing, mixing, video, lighting, and other systems, in which it is disclosed that recognition of human facial expressions from video images may be used as a controller for sound, lighting and special effects. However, Applicants submit that Ludwig does not supply that which is missing from Lys et al., i.e., "analyzing the received video signal to determine optical properties of an image to be formed by the video signal" and "setting a property of ambient light generated by the at least one ambient light source based upon the determined optical properties".

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, either individually or collectively, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-11, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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